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CITY OF ANAHEIM, JORGE
CISNEROS, PAUL DELGADO, BRETT
HEITMAN, KENNETH WEBER, and
CATALIN PANOV

UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

ANTONIO LOPEZ, individually;
JOHANNA LOPEZ, individually;
M.R., by and through his guardian ad
litem, April Rodriguez, individually and
as successor in interest to Brandon
Lopez; B.L. and J.L., by and through
their guardian ad litem Rachel Perez,
individually and as successor in interest
to Brandon Lopez; S.L., by and through
his guardian ad litem, Rocio Flores,
individually and as successor in interest
to Brandon Lopez,

Plaintiffs,

vs.

CITY OF ANAHEIM; CITY OF
SANTA ANA; DAVID VALENTIN;
JORGE CISNEROS; PAUL
DELGADO; BRETT HEITMAN;
KENNETH WEBER; CAITLIN
PANOV; DOES 1-10,

Defendants.

Case No. 8:22-cv-1351-JVS-ADS
[Hon. James V. Selna, Dist. Judge; Hon.
Autumn D. Spaeth, M. Judge]

**DECLARATION OF ABIGAIL J. R.
McLAUGHLIN IN SUPPORT OF
DEFENDANTS' MOTION FOR
SUMMARY JUDGMENT OR
PARTIAL SUMMARY JUDGMENT**

*Filed Concurrently with Defendants'
Motion for Summary Judgment or
Partial Summary Judgment; Statement
of Undisputed Facts; Notice of Lodging;
and [Proposed] Order*

Date: August 12, 2024

Time: 1:30 p.m.

Crtrm.: 10C

FPTC Date: September 9, 2024
Trial Date: September 17, 2024

1 I, Abigail J. R. McLaughlin, declare as follows:

2 1. I am an attorney duly admitted to practice in all of the courts of the State
3 of California and I am an associate with Lewis Brisbois Bisgaard & Smith LLP,
4 attorneys of record for Defendants CITY OF ANAHEIM, JORGE CISNEROS,
5 PAUL DELGADO, BRETT HEITMAN, KENNETH WEBER, and CATALIN
6 PANOV (“Defendants”) herein. The facts set forth herein are of my own personal
7 knowledge, and if sworn I could and would competently testify thereto.

8 2. This declaration is made in support of Defendants’ motion for summary
9 judgment, or partial summary judgment, in this action.

10 3. Lodged concurrently with the filing of this declaration as Exhibit “1” and
11 incorporated by reference herein is a true and correct copy of a composite video made
12 up of all video footage regarding the incident played simultaneously, which was
13 produced with Defendants’ Supplemental Expert Disclosures on July 12, 2024.

14 4. Lodged concurrently with the filing of this declaration as Exhibit “2” and
15 incorporated by reference herein is a true and correct copy of the audio interview of
16 Anaheim Police Investigator Ricky Reynoso, which was produced with Defendant
17 City of Anaheim’s Initial Disclosures on or about October 10, 2022.

18 5. Lodged concurrently with the filing of this declaration as Exhibit “3” and
19 incorporated by reference herein is a true and correct copy of the audio interview of
20 Santa Ana Police Department Officer Kenny Aguilar, which was produced with
21 Defendant City of Anaheim’s Initial Disclosures on or about October 10, 2022.

22 6. Lodged concurrently with the filing of this declaration as Exhibit “4” and
23 incorporated by reference herein is a true and correct copy of a cell phone video
24 reflecting Mr. Lopez’s collision with another vehicle during the September 28, 2021
25 incident, which was produced with Defendant City of Anaheim’s Initial Disclosures
26 on or about October 10, 2022.

27 7. Lodged concurrently with the filing of this declaration as Exhibit “5” and
28 incorporated by reference herein is a true and correct copy of the audio interview of

1 Defendant Sergeant Kenneth Weber, which was produced with Defendant City of
2 Anaheim's Initial Disclosures on or about October 10, 2022.

3 8. Lodged concurrently with the filing of this declaration as Exhibit "6" and
4 incorporated by reference herein is a true and correct copy of the audio interview of
5 non-party incident witness Santa Ana Police Department Officer Sergio Martinez,
6 which was produced with Defendant City of Anaheim's Initial Disclosures on or
7 about October 10, 2022.

8 9. Lodged concurrently with the filing of this declaration as Exhibit "7" and
9 incorporated by reference herein is a true and correct copy of the audio interview of
10 Santa Ana Police Department Corporal Luis Galeana, which was produced with
11 Defendant City of Anaheim's Initial Disclosures on or about October 10, 2022.

12 10. Lodged concurrently with the filing of this declaration as Exhibit "8" and
13 incorporated by reference herein is a true and correct copy of the audio interview of
14 Santa Ana Police Department Officer Nelson Menendez, which was produced with
15 Defendant City of Anaheim's Initial Disclosures on or about October 10, 2022.

16 11. Lodged concurrently with the filing of this declaration as Exhibit "9" and
17 incorporated by reference herein is a true and correct copy of the audio interview of
18 Anaheim Police Department Officer Brandon Mullins, which was produced with
19 Defendant City of Anaheim's Initial Disclosures on or about October 10, 2022.

20 12. Lodged concurrently with the filing of this declaration as Exhibit "10"
21 and incorporated by reference herein is a true and correct copy of the audio interview
22 of Anaheim Police Department Officer James Lopez, which was produced with
23 Defendant City of Anaheim's Initial Disclosures on or about October 10, 2022.

24 13. Lodged concurrently with the filing of this declaration as Exhibit "11"
25 and incorporated by reference herein is a true and correct copy of dispatch audio
26 regarding the September 28, 2021 incident related to the vehicular pursuit involving
27 Mr. Lopez, which was produced with Defendant City of Anaheim's Initial
28 Disclosures on or about October 10, 2022.

1 14. Lodged concurrently with the filing of this declaration as Exhibit “12”
2 and incorporated by reference herein is a true and correct copy of dispatch audio
3 regarding the September 28, 2021 incident related to the stand-off involving Mr.
4 Lopez, which was produced with Defendant City of Anaheim’s Initial Disclosures on
5 or about October 10, 2022.

6 15. Lodged concurrently with the filing of this declaration as Exhibit “13”
7 and incorporated by reference herein is a true and correct copy of the audio interview
8 of Defendant Officer Brett Heitman, which was produced with Defendant City of
9 Anaheim’s Initial Disclosures on or about October 10, 2022.

10 16. Lodged concurrently with the filing of this declaration as Exhibit “14”
11 and incorporated by reference herein is a true and correct copy of the audio interview
12 of Defendant Officer Catalin Panov, which was produced with Defendant City of
13 Anaheim’s Initial Disclosures on or about October 10, 2022.

14 17. Lodged concurrently with the filing of this declaration as Exhibit “15”
15 and incorporated by reference herein is a true and correct copy of the audio interview
16 of Defendant Sergeant Paul Delgado, which was produced with Defendant City of
17 Anaheim’s Initial Disclosures on or about October 10, 2022.

18 18. Attached hereto as Exhibit “16” and incorporated by reference herein is
19 a true and correct copy of the body worn camera footage of Defendant Sergeant Paul
20 Delgado, which was produced with Defendant City of Anaheim’s Initial Disclosures
21 on or about October 10, 2022.

22 19. Attached hereto as Exhibit “17” and incorporated by reference herein is
23 a true and correct copy of the body worn camera footage of Defendant Officer Catalin
24 Panov, which was produced with Defendant City of Anaheim’s Initial Disclosures on
25 or about October 10, 2022.

26 20. Attached hereto as Exhibit “18” and incorporated by reference herein is
27 a true and correct copy of the body worn camera footage of Defendant Sergeant
28

1 Kenneth Weber, which was produced with Defendant City of Anaheim's Initial
2 Disclosures on or about October 10, 2022.

3 21. Attached hereto as Exhibit "19" and incorporated by reference herein is
4 a true and correct copy of the pertinent portions of the transcript of the interview taken
5 of non-party incident witness Anaheim Police Investigator Ricky Reynoso regarding
6 the incident.

7 22. Attached hereto as Exhibit "20" and incorporated by reference herein is
8 a true and correct copy of the pertinent portions of the transcript of the interview taken
9 of non-party witness Santa Ana Police Department Officer Kenny Aguilar regarding
10 the incident.

11 23. Attached hereto as Exhibit "21" and incorporated by reference herein is
12 a true and correct copy of the pertinent portions of the transcript of the interview taken
13 of Defendant Sergeant Paul Delgado regarding the incident.

14 24. Attached hereto as Exhibit "22" and incorporated by reference herein is
15 a true and correct copy of the pertinent portions of the transcript of the interview taken
16 of Defendant Sergeant Kenneth Weber regarding the incident.

17 25. Attached hereto as Exhibit "23" and incorporated by reference herein is
18 a true and correct copy of the pertinent portions of the transcript of the interview taken
19 of Defendant Officer Catalin Panov regarding the incident.

20 26. Attached hereto as Exhibit "24" and incorporated by reference herein is
21 a true and correct copy of the pertinent portions of the transcript of the interview taken
22 of non-party witness Santa Ana Police Department Officer Sergio Martinez regarding
23 the incident.

24 27. Attached hereto as Exhibit "25" and incorporated by reference herein is
25 a true and correct copy of the pertinent portions of the transcript of the interview of
26 non-party incident witness Santa Ana Police Department Corporal Luis Galeana
27 regarding the incident.

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